GOVERNMENT OF ANDHRA PRDESH
ABSTRACT

Municipal Administration & Urban Development Department – The Andhra Pradesh Municipalities (Conduct of Election of Members) Rules, 2005 – Amendments - Notification – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (G) DEPARTMENT

G.O.Ms.No.51 **Dated:11.01.2020**

Read the following:-

1. G.O.Ms.No.666, M.A. & U.D. (Elec.II) Department, dtd. 11.07.2005.
2. From the State Election Commissioner, A.P., Lr.No.154/SEC-F2/2019, dt.30.4.2019.
3. From the CDMA,A.P., Guntur, Letter Roc.No.13021/71//2019-D, Dated:14.07.2019

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The following Notification will be published in the Extra-ordinary issue of Andhra Pradesh Gazette dated:11.01.2020.

NOTIFICATION

In exercise of the powers conferred by clause (b) of sub-section (2) of Section 326, read with clause (12) of section 2, Sections 10-A, 20, 27 and 28-E of the Andhra Pradesh Municipalities Act, 1965 (Act No.6 of 1965), the Governor of Andhra Pradesh, hereby, makes the following amendments to the Andhra Pradesh Municipalities (Conduct of Election of Members) Rules, 2005 and as amended from time to time.

AMENDMENTS

In the said rules:-

(I) After Rule 23, the following new rule shall be inserted, namely,-

"***23-A. Intimation by voters on election duty:-*** *(1) A voter on election duty, who wishes to vote by post at an election, shall send an application in Form X-A to the Election Officer seeking permission to vote by postal ballot, so as to reach him at least seven days or such shorter period as the Election Officer may allow before the date of poll. If the Election Officer is satisfied that the applicant is a voter on election duty, he may permit the applicant to give his vote at that election by postal ballot. Thereupon, the applicant may give his vote at such election by postal ballot and shall not be entitled to give his vote thereat in any other manner. The Election Officer shall mark "PB" against the name of such vote in the marked copy of the electoral roll.*

(2) Where such voter, being a Polling Officer, Presiding Officer or other public servant on election duty in the ward constituency of which he is an elector, wishes to vote in person at an election and not by post, he shall send an application in Form X- B to the Election Officer so as to reach him at least four days, or such shorter period as the Election

(P.T.O)

Officer may allow, before the date of poll; and if the Election Officer is satisfied that the applicant is such public servant and voter on election duty in the ward constituency, he shall, —

a. issue to the applicant an Election Duty Certificate in Form X-C;

b. mark 'EDC' against his name in the marked copy of the electoral roll to indicate that an election duty certificate has been issued to him; and

c. ensure that he is not allowed to vote at the polling station where he would otherwise have been entitled to vote.".

(II) In rule 24,-

(a) in *sub*-rule (1), after the expression "under sub-rule (4) of Rule 23", the expression "or under sub-rule (1) of Rule 23-A" shall be inserted.

(b) in sub-rule (3), after clause (b), the following new clause shall be added, namely:-

"(c) in case of voters on election duty covered by sub-rule (1) of Rule 23-A, the Election Officer may send the postal ballot paper and other connected papers and envelopes to the address of the voter given in the application for postal ballot paper in Form X-A or to deliver them or cause them to be delivered personally to such voters."

(III) In sub-rule (2) of Rule 25,

(a) for the words "5 P.M. on the date fixed in this behalf by the Election Officer." The words "the hour fixed for commencement of counting of votes." shall be substituted.

(b) for the words "5 P.M. on the date so fixed" the words "the hour fixed for commencement of counting of votes" shall be substituted.

(IV) In Rule 26, after clause (b), the following new clause shall be added, namely,-

"(c) In the case of voter on election duty referred to in Rule 23-A, by the Presiding Officer of the polling station at which he is on election duty."

(V) In sub-rule (3) of Rule 27,

(a) for the words **"5 P.M. on the date fixed under sub-rule of Rule 25"** the words **"hour fixed for commencement of counting of votes"** shall be substituted.

(b) for the words **"5 P.M. on such date"** the words **"hour fixed for commencement of counting of votes"** shall be substituted.

(P.T.O)

(c) for the words **"said sub-rule"** at the end of the sub-rule the words **"sub- rule (2) of Rule 25"** shall be substituted.

(VI) For Rule 48, the following shall be substituted, namely,-

" ***48. Facilities for public servants on election duty***:- *(1) Any person who produces at the polling station an election duty certificate in Form X-C and asks for the issue of a ballot paper to him although the polling station is different from the one where he is entitled to vote within the same ward constituency.*

(2) On production of such certificate the presiding officer shall,—

a. obtain thereon the signature of the person producing it;

b. have the person's name and electoral roll number as mentioned in the Certificate entered at the end of the marked copy of the electoral roll;

c. issue to him a ballot paper, and permit him to vote, in the same manner as for an elector entitled to vote at that polling station.

(VII) In sub-rule (4) of Rule 52, clause (viii) shall be omitted.

(VIII) After FORM X, three new forms, namely FORM X-A, FORM X-B and FORM X-C shall be inserted and the newly added forms shall be in the formats appended to this Notification.

(IX) In FORM-XIII, in clause (d) under instruction at Serial No. 1, for the words "5.00 p.m. on the ..... day of ..... 200....." the words "the hour fixed for commencement of counting of votes, i.e., ... AM on ..... 20....." shall be substituted.

(X) FORM -XVIII shall be omitted.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. SYAMALA RAO
SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationery and Stores Purchase, Vijayawada.
The Commissioner & Director of Municipal Administration, A.P., Guntur.
The Secretary, A.P. State Election Commission, Vijayawada.
The Law(I) Department
Sf/Scs.

//FORWARDED BY ORDER//

SECTION OFFICER

FORM X-A

[See Rule 23-A (1)]

APPLICATION FOR ISSUE OF POSTAL BALLOT PAPER

Election to the office of Member of …… Ward of …… Municipality / Nagar Panchayat.

To
The Election Officer,
…….. Ward,
……. Municipality / Nagar Panchayat.

Sir,

I intend to cast my vote by post at the ensuing election to the office of Member of …… Ward of …….. Municipality / Nagar Panchayat.

My name is entered in the electoral roll at Serial No. …… in Polling Station No. ..... of the said Ward.

The ballot paper may be sent to me at the following address:

……
……
……
……

Place :……
Date :……

Yours faithfully
……

J. SYAMALA RAO
SECRETARY TO GOVERNMENT

FORM X-B

[See Rule 23-A (2)]

APPLICATION FOR ELECTION DUTY CERTIFICATE

To
The Election Officer,
……. Ward,
……. Municipality / Nagar Panchayat.

Sir,

I intend to cast my vote in person at the ensuing election to the office of Member of ……. Ward of …….. Municipality / Nagar Panchayat.

I have been posted on election duty within the ward constituency at ……. (No. & Name of the Polling Station), but my name is entered at Serial No…… in Polling Station No. ..... of Ward No. …… comprised within the Municipality / Nagar Panchayat.

I request that an Election Duty Certificate in Form X-C may be issued to enable me to vote at the polling station where I may be on duty on the polling day. It may be sent to me at the following address.

……
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……
……

Place :……
Date :……

Yours faithfully
……

J. SYAMALA RAO
SECRETARY TO GOVERNMENT

FORM X-C

[See Rule 23-A (2)(a)]

ELECTION DUTY CERTIFICATE

Certified that Sri / Smt. / Kum. …… is an elector in the ..... Ward of …… Municipality / Nagar Panchayat His / her electoral roll number is…… By reason of his being on election duty, he / she is unable to vote at the polling station where he / she is entitled to vote and that he / she is, therefore, hereby authorised to vote at any polling station in the said Ward …….. of …….. Municipality / Nagar Panchayat.

Place :…… Date :……	Signature of Election Officer Ward No…….. …… Municipality / Nagar Panchayat

J. SYAMALA RAO
SECRETARY TO GOVERNMENT